

REMARKS

The indicated allowance of claims 6, 7 and 10 is acknowledged.

By the present amendment, independent claims 1 and 2 have been amended to recite further features of the present invention, as discussed below, which features have not been previously considered by the Examiner. Applicants note that the amended features have been generally discussed with the Examiner on December 8, 2006, and it was determined that an RCE and amendment should be submitted to obtain consideration of the newly recited features.

By the present amendment, claims 1 and 2 have been amended to more clearly recite the operational features of the present invention, as illustrated in Figs. 1, 5 and 7, for example. More particularly, as described in the specification and illustrated in Figs. 1 and 5, for example, the lighting device 7 is divided into plural regions a, b and c, and as shown in Fig. 7, output signals a, b and c are applied to the respective regions, in the sequence shown, for lighting the lamps in such regions. Thus, the lamps of region a are turned on during the indicated time period, and subsequently the lamps of region b and region c are turned on, so as to effect a shifting of the turning on and off of individual regions among the plurality of regions. The lighting device 7 provides illumination for the liquid crystal display unit 2 so that as described in the substitute specification at page 5, lines 3 - 7, each region of the lighting device lights a corresponding region of the liquid crystal display unit 2. More particularly, as described at page 10, lines 12 - 16, regions a, b and c are lighted after 12ms, 15ms and 18ms, respectively, for 4.6ms after the start of scanning of the portion corresponding to each region of the liquid crystal display unit 2. Thus, looking to claim 1, for example, this claim has been amended to recite the features

that the lighting device, including a plurality of light sources, is divided into plural regions for illuminating corresponding plural illumination regions of an entirety of a display area of the liquid crystal display unit, and the control unit controls On and Off states of a light source for each of the plural regions, so that the On state of individual ones of the plural regions of the lighting device is shifted among the plural regions, and an individual illumination region of the plural illumination regions of the entirety of the display area of the liquid crystal display unit is correspondingly shifted therewith. Independent claim 2 has been amended in a similar manner, and applicants submit that such features are not disclosed or taught in the cited art, as will become clear from the following discussion.

The rejection of claims 1 - 5 and 8 - 9 under 35 USC 103(a) as being unpatentable over Hirai et al in view of Michiya (JP 05-165026) is traversed insofar as it is applicable to the present claims and reconsideration and withdrawal of the rejection are respectfully requested.

As to the requirements to support a rejection under 35 USC 103, As to the requirements to support a rejection under 35 USC 103, reference is made to the decision of In re Fine, 5 USPQ 2d 1596 (Fed. Cir. 1988), wherein the court pointed out that the PTO has the burden under '103 to establish a prima facie case of obviousness and can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references. As noted by the court, whether a particular combination might be "obvious to try" is not a legitimate test of patentability and obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching

or suggestion supporting the combination. As further noted by the court, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention.

In applying the cited art to the claimed invention, the Examiner recognizes that "Hirai does not teach a control unit for controlling ON and OFF states of a light source for each of the plural regions into which said lighting device is divided in synchronization with horizontal synchronization signals and vertical synchronizations signals." (emphasis added). The Examiner, however, contends that "Michiya on the other hand, teaches the use of light sources 4A, 4B, 4C which are put ON and OFF under control in a predetermined sequence such that the light sources (4A, 4B, 4C) operate based on a horizontal and vertical synchronization signals from a synchronizing separator circuit 98)...". Thus, the Examiner concludes it would have been obvious to modify Hirai's display apparatus in accordance with the disclosure of Michiya.

Irrespective of the position set forth by the Examiner, applicants submit that the combination of Hirai et al and Michiya fail to provide the claimed features as set forth in independent claims 1 and 2, as amended, of this application. For example, while Michiya discloses light sources 4A, 4B and 4C, applicants submit that assuming arguendo, that the light sources 4A, 4B and 4C in combination with the photo reflex body 2 may be considered to be a lighting device, including a plurality of light sources, such lighting device is not "divided into plural regions for illuminating corresponding illumination plural regions of an entirety of a display area of the liquid crystal display unit" (emphasis added), as represented by the liquid crystal display panel 1 in Michiya. That is, as described in Michiya, due to the configuration of the

photo reflex body 2 and the angular arrangement of the light sources 4A, 4B and 4C with respect thereto, the white light from the respective light sources 4A, 4B and 4C which illuminates the entirety of the photo reflex body 2 is converted into respectively different colored lights for illuminating the entirety of the liquid crystal display panel 1, as illustrated in Fig. 2 of Michiya. Thus, in addition to Michiya failing to disclose a lighting device divided into plural regions for illuminating corresponding plural regions of an entirety of a display area of the liquid crystal display unit, Michiya also fails to disclose a control unit operating "so that the On state of individual ones of the plural regions of the divided lighting device is shifted among the plural regions, and an individual illumination region of the plural illumination regions of the entirety of the display area of the liquid crystal display unit is correspondingly shifted therewith" (emphasis added) as recited in independent claim 1, as amended. Applicants note that independent claim 2 has been amended in a corresponding manner, and applicants submit that Michiya fails to disclose or teach the aforementioned recited features of independent claims 1 and 2. Since the Examiner has recognized the deficiencies of Hirai et al and applicants submit that Hirai et al also fails to disclose or teach the aforementioned features, applicants submit that independent claims 1 and 2 and the dependent claims patentably distinguish over the combination of Hirai et al and Michiya in the sense of 35 USC 103, such that all claims should be considered allowable thereover.

With respect to dependent claims 3 - 5, 8 and 9, applicants submit that such claims recite further features when considered in conjunction with the parent claims, further patentably distinguish over the cited art. Accordingly, the dependent claims should be considered allowable with the parent claims.

In view of the above amendments and remarks, applicants submit that in addition to the allowance of claims 6, 7 and 10, the remaining claims of this application also patentably distinguish over the cited art and should now be in condition for allowance. Accordingly, issuance of an action of a favorable nature is courteously solicited.

Applicants request the Examiner to contact the undersigned attorney to schedule an interview upon taking this application up for action, if considered necessary.

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage of fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, No. 01-2135 (Application No. 503.38382X00), and please credit any excess fees to said deposit account.

Respectfully submitted,

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